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NO. 161.

NATIONAL REPUBLICAN.

OFFICIAL.

LAW OF THE UNITED STATES.

Chancery of the Second Session of the Thirteenth Congress.

AN ACT to reduce the expenses of the Survey and sale of the public-land in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That contracts for the survey of the public lands shall not become binding upon the United States until approved by the Commissioner of the General Land Office except in such cases as said Commissioner shall otherwise specially order.

Sec. 1. And be it further enacted, That the printed manual or instructions relating to the office of surveyor, date February twenty-second, eighteen hundred and fifty-five, the instructions of the Commissioner of the General Land Office, and the special instructions of the surveyor general, when not in conflict with said printed manual, or the instructions of said Commissioner, shall be taken and deemed to be a part of every contract for surveying the public lands of the United States.

Sec. 2. And be it further enacted, That the Commissioners of the General Land Office shall have power, and it shall be their duty, to fix the compensation of surveyors, and to determine, in no case, less than the maximum established by law; and that, under instructions to be prepared by said Commissioner, an accurate account shall be kept by each surveyor general of the cost of surveying and plating private land claims, to be reported to the General Land Office, with the map of such claim, and the patents shall not issue for any such private claim until the cost of survey and plating shall have been paid into the Treasury of the United States by the claimant.

Sec. 3. And be it further enacted, That from and after the first day of July next, and upon the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior, the President may order that the Territories of Utah and Colorado shall constitute one surveying district, the duties of surveyor general in said district to be performed by the surveyor general of Colorado; and the surveying district of Nevada shall be united to that of California, the duties of the surveyor general of the former to be transferred to the surveyor general of California, and the transfer of the offices and archives of the offices of the surveyor general of the latter to the Commissioner of the General Land Office.

Sec. 4. And be it further enacted, That upon the recommendation of the Commissioners of the General Land Office, approved by the Secretary of the Interior, the President may order the discontinuance of any land office, and the transfer of its business and archives to any other land office within the same State or Territory.

Sec. 5. And be it further enacted, That from and after the first day of July next, the compensation of register and receiver in all the land offices in Utah and Colorado shall be an annual salary of five hundred dollars to each, and the fees and commissions now prescribed by law, and to be paid by claimants, an additional fee in donation cases of five dollars for each final certificate for one hundred and sixty acres, ten dollars for three hundred and twenty acres, and fifteen dollars for six hundred and forty acres; to be accounted for in the same manner as fees and commissions in warrant and pre-emption locations, with limitations as to maximum of salary prescribed by existing laws, and in accordance with such instructions as shall be given by the Commissioner of the General Office.

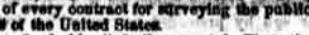
Sec. 6. And be it further enacted, That in regard to settlements which, by existing laws, are authorized in certain States and Territories upon unsurveyed lands, which privilege is hereby extended to California, the pre-emption claimant shall be black and white, in all cases, required, from and after the first day of September, eighteen hundred and sixty-two, to file his declaration statement within three months from the date of the receipt at the district land office of his application, that the township embraces such a quantity of land as follows: Provided, The provisions of this section shall not be held to authorize pre-emption and settlement of mineral lands, which are hereby exempted from the provisions of this act.

Sec. 7. And be it further enacted, That from and after the first day of July next, the salary of the surveyor general of California shall not exceed three thousand dollars per annum, and salaries of the surveyor of Oregon and Washington shall not exceed two thousand five hundred dollars each per annum and should the surveyor general of Oregon and Washington be hereafter made an independent district, the salaries of the surveyor general shall not exceed three thousand dollars each for said districts.

Sec. 8. And be it further enacted, That when the settlers in any township or townships, not mineral or reserved by Government, shall desire a survey made of the same, under the authority of the surveyor general of the United States, and shall file an application therefore in writing, and deposit in a proper United States depository, to the credit of the United States, an amount sufficient to pay for such survey, together with all expenses incurred at thereto, without cost or claim for indemnity on the United States, it shall and may be lawful for said surveyor general, under such instructions as may be given him by the Commissioner of the General Land Office, and in accordance with existing laws and instructions, to survey such township or townships, and make return thereof to the general and proper local land office: Provided, The townships so proposed to be surveyed are within the range of the regular progress of the public surveys embraced by existing standard lines or bases for the township and subdivisional surveys.

Approved, May 30, 1862.

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